

Remarks

The numbered paragraphs of the Office action are responded to through the corresponding numbered paragraphs below. The applicant has addressed each issue in turn and, for clarity, has provided a heading for each issue.

The Examiner indicated that the pending action is responsive to communications: Prior Art, filed on 12/7/99 and an Election, filed on 6/6/01. The Examiner noted that claims 31-57 are pending in this application and that claim 31 is the sole independent claim. The Examiner inquired whether claim 57 should have also been cancelled since it was grouped with Invention I. The applicant intended to also cancel, without prejudice, claim 57. Therefore, yes, this claim 57 should also be cancelled. Applicant appreciates the Examiner's assistance with this matter.

The Examiner also indicated that the present title of the invention is "Method and Apparatus for Monitoring Dynamic Systems Using N-Dimensional Representations of Critical Functions".

Election

1. The Examiner indicated that claim 57 is withdrawn as being drawn to a nonelected invention. The applicant believes that no response is required for this paragraph.
2. The Examiner acknowledged the applicant's election of Invention V, comprised of claims 31-56. The applicant believes that no response is required for this paragraph.

Claim Rejections - 35 USC § 103

3. The Examiner provided the quotation of 35 U.S.C. § 103(a) which forms the basis for all obviousness rejections set forth in this Office action. The applicant believes that no response is required for this paragraph.

4. The Examiner advised the applicant of the requirement to notify the Office of the inventors and invention dates of each claim that was not commonly owned at the time a later invention was made. The applicant believes and has verified that all pending claims are commonly owned by the University of Utah Research Foundation.

5. The Examiner rejected claims 31-56 under 35 U.S.C. § 103(a) as being unpatentable over Richards et al. (U.S. patent 5,121,469) in view of Zimmer (U.S. patent 5,796,398). The applicant has requested that claim 31 be amended to more clearly point out that in applicant's invention the audible sounds are computed and correlated to the dynamic data. The applicant believes that, as the Examiner pointed out, Zimmer discloses the activation of recorded sound. Therefore, Zimmer does not disclose sounds that are computed and based on increases and decreases in data values. The applicant believes that the claim 31, in its entirety, as amended is neither described nor suggested by the cited references or any other reference. As claims 32-56 are dependent on claim 31 and incorporate the limitations of claim 31, the applicant believes the requested amendment to claim 31 fully addresses the Examiner's rejections of this paragraph. The applicant respectfully requests reconsideration and allowance of the pending claims.

Conclusion

6. The Examiner noted that certain "prior art is made of record and not relied upon". The applicant appreciates the Examiner's search and respectfully requests the inclusion of these references in the cited references of this application.

7. The Examiner has provided information concerning communication and/or inquiries concerning this case. Applicant appreciates the Examiner's willingness to communicate and assistance regarding this case and believes no response to this paragraph is necessary.

Draftspersons Objections

The Official Draftsperson objected to the drawings as not meeting the formal requirements of the Office. Although this application was filed prior to the requirements for publication and informal drawings should be permitted during the prosecution of this case without the need for formal drawings prior to the permitted period after receipt of a notice of allowance, the applicant herewith submits corrected formal drawings, which are intended to meet all of the formal requirements of the Office, with this response.

Applicant believes that the submission of these drawings is fully responsive to the objections of the Official Draftsperson. The applicant respectfully requests acceptance of these drawings and withdrawal of these objections.

The applicant has requested that claim 31 be amended as described. Applicant believes that all issues and points of the Examiner's Office action have been addressed. Applicant believes that claims 31-56, as presently pending, are patentable over all known prior art. Applicant respectfully requests reconsideration of this application.

Respectfully submitted this 28th day of January, 2002.

A handwritten signature in black ink, appearing to read "Lloyd W. Sadler", written over a horizontal line.

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